

FILED

08 JAN 16 PM 2:54

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

BY: *[Signature]*

DEPUTY

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

08 CR 0134 JAH

January 2007 Grand Jury

UNITED STATES OF AMERICA,)	Criminal Case No. _____
)	
Plaintiff,)	<u>I N D I C T M E N T</u>
)	
v..)	Title 8, U.S.C., Secs. 1326(a)
)	and (b) - Attempted Entry After
MANUEL DELGADO,)	Deportation; Title 18, U.S.C.,
)	Sec. 911 - False Claim to United
Defendant.)	States Citizenship
_____)	

The grand jury charges:

Count 1

On or about October 4, 2007, within the Southern District of California, defendant MANUEL DELGADO, an alien, knowingly and intentionally attempted to enter the United States of America with the purpose, i.e., conscious desire, to enter the United States without the express consent of the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security, after having been previously excluded, deported and removed from the United States to Mexico, and not having obtained said express consent to reapply for admission thereto; and committed an overt act to wit, crossing the border from Mexico into the United States, that

1 was a substantial step toward committing the offense, all in violation
2 of Title 8, United States Code, Sections 1326(a) and (b).

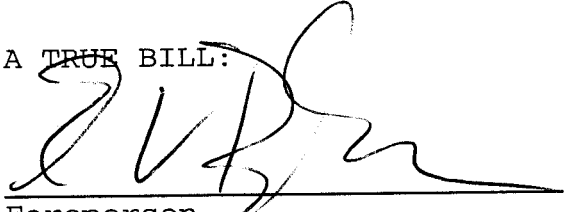
3 It is further alleged that defendant MANUEL DELGADO, was removed
4 from the United States subsequent to September 12, 2006.

5 Count 2

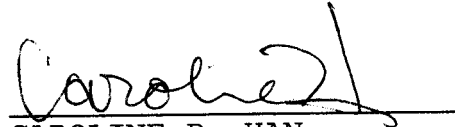
6 On or about October 4, 2007, within the Southern District of
7 California, defendant MANUEL DELGADO did falsely and willfully
8 represent to United States Department of Homeland Security Customs and
9 Border Protection Enforcement Officer D. Curfiss, a person having good
10 reason to inquire into the nationality status of the defendant, that
11 he was a citizen of the United States; whereas, in truth and fact, as
12 the defendant then and there well knew, he was not a citizen of the
13 United States; in violation of Title 18, United States Code,
14 Section 911.

15 DATED: January 16, 2008.

16 A TRUE BILL:

17 
18 _____
19 Foreperson

20 KAREN P. HEWITT
21 United States Attorney

22 By: 
23 CAROLINE P. HAN
24 Assistant U.S. Attorney
25
26
27
28